



Ernie Fletcher  
Governor

Mark David Goss  
Chairman

LaJuana S. Wilcher, Secretary  
Environmental and Public  
Protection Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

Teresa J. Hill  
Vice Chairman

Christopher L. Lilly  
Commissioner  
Department of Public Protection

Gregory Coker  
Commissioner

Honorable David Edward Spenard  
Assistant Attorney General  
Office of the Attorney General Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

October 4, 2005

RE: Case No. 2005-00228

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

BOD/tw  
Enclosure

Ronald J. Brothers  
1000 East Main Street  
Plainfield, IN 46168

Honorable John J. Finnigan, Jr.  
Senior Counsel  
The Union Light, Heat and Power  
Company  
139 East Fourth Street  
Cincinnati, OH 45202

Kodwo Ghartey-Tagoe  
Chief Regulatory Counsel  
Duke Power  
P. O. Box 1244  
Mail Code: PB05E  
Charlotte, NC 28201

Kelley A. Karn  
1000 East Main Street  
Plainfield, IN 46168

Honorable Michael L. Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OH 45202

Kate E. Moriarty  
Attorney at Law  
The Union Light, Heat and Power  
Company  
139 East Fourth Street  
Cincinnati, OH 45202

Paul R. Newton  
Duke Power  
P. O. Box 1244  
Mail Code: PB05E  
Charlotte, NC 28201

Honorable David Edward Spenard  
Assistant Attorney General  
Office of the Attorney General  
Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF DUKE )  
ENERGY CORPORATION, DUKE )  
ENERGY HOLDING CORP., DEER )  
ACQUISITION CORP., COUGAR )  
ACQUISITION CORP., CINERGY )  
CORP., THE CINCINNATI GAS & )  
ELECTRIC COMPANY AND THE )  
UNION LIGHT, HEAT AND POWER )  
COMPANY FOR APPROVAL OF A )  
TRANSFER AND ACQUISITION )  
OF CONTROL )

CASE NO. 2005-00228

O R D E R

On October 3, 2005, John J. Finnigan, Jr., an attorney licensed to practice law in the Commonwealth of Kentucky, who is representing The Union Light, Heat and Power Company ("ULH&P"), The Cincinnati Gas & Electric Company ("CG&E") and Cinergy Corp. ("Cinergy") in this proceeding, filed two motions to admit *pro hac vice* Kelley A. Karn and Ronald J. Brothers to practice before the Commission and to appear on behalf of ULH&P, CG&E, and Cinergy. In support of the motions, Ms. Karn and Mr. Brothers have shown that they are members in good standing with the Indiana State Bar and have filed with the Commission Out-of-State Certification Forms. In addition, Ms. Karn and Mr. Brothers have agreed to be subject to the jurisdiction and rules of the Commission and the Kentucky Bar Association.

IT IS THEREFORE ORDERED that Ms. Karn and Mr. Brothers are admitted *pro hac vice* for the purpose of representing ULH&P, CG&E, and Cinergy in the above-

styled proceeding provided that Mr. Finnigan, or another member of the Kentucky Bar Association, acts as co-counsel and is present at any and all proceedings before this Commission.

Done at Frankfort, Kentucky, this ~~4th~~ day of October, 2005.

By the Commission

ATTEST:



Executive Director